

Department of Justice

§ 0.29h

(ii) Request that the Deputy Attorney General determine that such notification would undermine the integrity of the investigation nor jeopardize the interests of the complainant.

(7) While an issue of investigative jurisdiction or assignment is pending before the Deputy Attorney General, neither the OIG nor the other investigative component shall undertake any investigative activity without authorization from the Deputy Attorney General.

(b) OIG investigations that result in findings of potential criminal misconduct or civil liability are referred to the appropriate prosecutorial or litigative office.

(c) The OIG advises DOJ-OPR of the existence and results of any investigation that reflects upon the ethics, competence, or integrity of a Department attorney for appropriate action by DOJ-OPR.

(d) OIG investigations that result in findings of administrative misconduct are reported to management for appropriate disposition.

[Order No. 2167-98, 63 FR 36847, July 8, 1998; 63 FR 40788, July 30, 1998]

§ 0.29f Confidentiality.

The Inspector General shall not, during the pendency of an investigation, disclose the identity of an employee who submits a complaint to the OIG without the employee's consent, unless the Inspector General determines that such disclosure is unavoidable in the course of the investigation.

§ 0.29g Reprisals.

Any employee who has authority to take, direct others to take, recommend, or approve any personnel action shall not, with respect to such authority, take or threaten to take any action against any employee as a reprisal for the employee making a complaint or disclosing information to the OIG unless the complaint was made or the information was disclosed with knowledge that it was false or with willful disregard for its truth or falsity.

§ 0.29h Specific authorities of the Inspector General.

The Inspector General is authorized to:

(a) Conduct investigations and issue reports relating to the administration of the programs and operations of the Department as are, in the judgment of the Inspector General, necessary or desirable;

(b) Receive and investigate complaints or information from an employee of the Department concerning the possible existence of an activity constituting a violation of law, rules, or regulations, or mismanagement, gross waste of funds, an abuse of authority, or a substantial and specific danger to the public health and safety;

(c) Have direct and prompt access to the Attorney General when necessary for any purpose pertaining to the performance of the functions and responsibilities of the OIG;

(d) Have access to all records, reports, audits, reviews, documents, papers, recommendations, or other material available to the Department and its components that relate to programs and operations with respect to which the OIG has responsibilities unless the Attorney General notifies the Inspector General, in writing, that such access shall not be available because it is necessary to prevent the disclosure of

(1) Sensitive information concerning ongoing civil or criminal investigations or proceedings;

(2) Undercover operations;

(3) The identity of confidential sources, including protected witnesses;

(4) Intelligence or counterintelligence matters; or

(5) Other matters the disclosure of which would constitute a serious threat to national security or significantly impair the national interests of the United States;

(e) Request such information or assistance as may be necessary for carrying out the duties and responsibilities of the OIG from any office, board, division, or component of the Department, and any Federal, State, or local governmental agency or unit thereof;

(f) Issue subpoenas to individuals, and entities, other than Federal government agencies, for the production of information, records, data, and other